

Customer No.: 31561
Application No.: 10/708,016
Docket No.: 12030-US-PA

REMARKS

Present Status of the Application

The Office Action rejected 1-3, 6, 7, 9 and 12 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Office Action rejected 1-3, 6, 7, 9 and 12 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action rejected claim 1 under 35 U.S.C. 102(b), as being anticipated by Matsushima (U.S. 5,917,563). The Office Action rejected claims 1 and 12 under 35 U.S.C. 102(b), as being anticipated by Zhang (U.S. 6,115,088). The Office Action also rejected claims 2 and 3 under 35 U.S.C. 103(a) as being unpatentable over Matsushima in view of Takahara (U.S. 5,673,127).

The non-final office action dated 06/27/2005 pointed out claims 6, 7 and 9 are allowable because the prior art does not disclose the limitation of claim 6, while the final office action dated 01/12/2006 does not reject claims 6, 7 and 9 under 35 U.S.C. 102(b) or 103(a). Therefore, applicant withdraws the claim amendment for claim 1 in the applicant's reply dated 09/27/2005, and now the limitation of claim 6 which is allowable is added into claim 1.

Applicant respectfully submits claim 1 should be allowed because claim 1 comprises the limitation of the allowable claim 6, and its dependent claims 2-5, 7-12 patently define over the prior art as a matter of law. It should be noted that claims 4-5, 8, 10-11 are withdrawn in the response to Restriction Requirement. Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or

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otherwise include all of the limitations of an allowed generic claim as provided by 37 CFR 1.141.

Currently, claim 1 is allowed, and its dependent claims 2-5, 7-12 include all of the limitations of an allowed generic claim 1. Therefore, applicant respectfully submits claims 4-5, 8 and 10-11 should be rejoined into the present application.

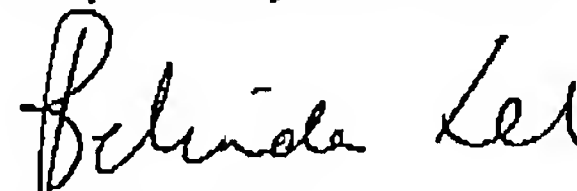
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CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,



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